

Case Name: Michelle Henry v. Capital One, N.A. Case Number: 1:21 CV - 02281

PROPOSED DISCOVERY PLAN/SCHEDULING ORDER

	DONE	NOT APPLICABLE	DATE
A. ACTIONS REQUIRED <u>BEFORE</u> THE INITIAL CONFERENCE			
1. Rule 26(f) Conference held	X		
2. Rule 26(a)(1) disclosures exchanged	X		
3. Requested:			
a. Medical records authorization			N/A
b. Section 160.50 releases for arrest records			N/A
c. Identification of John Doe/Jane Doe defendants			N/A
4. Procedures for producing Electronically Stored Information (ESI) discussed		X	
5. Confidentiality Order to be submitted for court approval (see Standing Confidentiality Order on the Chambers website)			12/02/23
B. SETTLEMENT PLAN			
1. Plaintiff to make settlement demand		X	
2. Defendant to make settlement offer		X	
3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date for mediation to be completed)		X	
4. Settlement Conference (proposed date)		X	
C. PROPOSED DEADLINES			
1. Motion to join new parties or amend pleadings			12/02/23
2. Initial documents requests and interrogatories			To be served by 11/16/23
3. All fact discovery to be completed			4/05/24
4. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed			4/19/24

5. Expert discovery (only if needed)		<i>Check here if not applicable</i> <input checked="" type="checkbox"/>	
Plaintiff expert proposed field(s) of expertise:			
Defendant expert proposed field(s) of expertise:			
	DONE	NOT APPLICABLE	DATE
a. Affirmative expert reports due			
b. Rebuttal expert reports due			
c. Depositions of experts to be completed			
6. Completion of ALL DISCOVERY (if different from C.3)			04/05/24
7. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated			04/19/24
8. If any party seeks a dispositive motion , date to (a) file request for pre-motion conference (if required), or (b) file briefing schedule for the motion			06/07/24
9. Proposed Joint Pre-Trial Order due (if no dispositive motion filed)		X	
D. CONSENT TO MAGISTRATE JUDGE JURISDICTION			
1. All parties consent to Magistrate Judge jurisdiction for dispositive motion?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. All parties consent to Magistrate Judge jurisdiction for trial?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY			
1. Motion for collective action certification in FLSA cases		X	
a. Response due			
b. Reply due			
2. Motion for Rule 23 class certification		X	
a. Response due			
b. Reply due			

This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.

SO ORDERED:

Peggy Kuo
PEGGY KUO
 United States Magistrate Judge

November 2, 2023

 Date